

State of South Dakota

EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

192Q0480

HOUSE CONCURRENT RESOLUTION NO. 1016

Introduced by: Representatives Fargen, Cronin, Deadrick, Faehn, Frerichs, Hamiel, Hoffman, Juhnke, Lucas, McLaughlin, Olson (Betty), Olson (Ryan), Rounds, Russell, Schlekeway, Solum, Street, Tidemann, and Vanneman and Senators Heidepriem, Bartling, Bradford, Brown, Garnos, Hanson (Gary), Maher, Olson (Russell), Peterson, and Vehle

1 A CONCURRENT RESOLUTION, Urging the United States Fish and Wildlife Service and the
2 Western Area Power Administration to avoid overly restrictive wildlife criteria and overly
3 burdensome procedural requirements that create unnecessary delays in the siting of wind
4 energy development projects.

5 WHEREAS, the Western Area Power Administration (WAPA) and the United States Fish
6 and Wildlife Service (USFWS) in September of 2008 announced the use of programmatic
7 environmental impact statements for the processing of siting requests for wind energy projects
8 in the upper Great Plains region; and

9 WHEREAS, the programmatic EIS process will define the nature and extent of alternative
10 analysis or mitigation requirements necessary for wind energy generation projects to be built
11 within the whooping crane and other migratory bird flyways, an area that covers a wide strip of
12 territory from Canada to Texas, including much of the state of South Dakota; and

13 WHEREAS, the upper Great Plains is one of the best resources in the world for wind energy



1 development, and Americans generally support wind energy development as an important
2 element in establishing energy security for the United States; and

3 WHEREAS, among its numerous benefits, the development of wind energy would reduce
4 CO2 emissions, reduce water consumption, reduce dependency on coal, slow the loss of native
5 grasslands, and serve as a renewable source of electric energy; and

6 WHEREAS, establishing reasonable regulations related to transmission issues and wildlife
7 protection can help move wind energy projects forward more quickly and efficiently. However,
8 overly restrictive regulations can delay or even halt wind energy development in this region as
9 wind energy projects are particularly time-sensitive; and

10 WHEREAS, protection of the whooping crane and migratory bird flyways is an important
11 environmental goal, but the procedural safeguards to ensure that protection must be reasonable
12 and consider impacts on the economy; and

13 WHEREAS, there is a possibility that the use of the programmatic EIS process could
14 exclude broad areas of some of the best wind energy resources in the upper Great Plains from
15 development out of concern for the whooping crane's migratory path; and

16 WHEREAS, such action could delay indefinitely a wide array of planned wind energy
17 projects in the Dakotas and may end the development of wind energy in the region:

18 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
19 fourth Legislature of the State of South Dakota, the Senate concurring therein, that the South
20 Dakota Legislature supports the adoption of reasonable regulations related to wildlife and
21 transmission issues if such regulations help move wind energy projects forward more quickly
22 and efficiently. However, the Legislature urges the United States Fish and Wildlife Service and
23 the Western Area Power Administration to avoid overly restrictive wildlife criteria that will
24 cause significant procedural steps and delay projects related to the siting of wind energy

1 development in South Dakota and the upper Great Plains.